

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS  
OF SAN BERNARDINO COUNTY, CALIFORNIA  
AND RECORD OF ACTION**

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**June 22, 2004**

**FROM:** **NORMAN A. KANOLD**, Assistant County Administrator  
Economic Development/Public Services Group

**PETER R. HILLS**, County Fire Chief/Fire Warden  
San Bernardino County Consolidated Fire District

**SUBJECT: CONTINUE THE PORTIONS OF THE LOCAL EMERGENCY  
CONCERNING WILDFIRE-RELATED DEBRIS**

**RECOMMENDATION:** Continue the portions of the Emergency Proclamation originally proclaimed by the Board of Supervisors on April 20, 2004, which found as a result of the October and November 2003 wildfires in the County, serious health and safety hazards currently exist from fire debris, including potentially unstable chimneys, walls of fire-damaged structures, and harmful chemicals and other materials that likely remain on unoccupied and/or abandoned property, which hazards require immediate remediation and still constitute a local emergency.

**BACKGROUND INFORMATION:** On December 30, 2003, acting as Director of Emergency Services of the County of San Bernardino, the Chairman of the Board of Supervisors signed a Proclamation of Existence of a Local Emergency concerning wildfire-related mudslide and flooding conditions starting December 24 and 25, 2003. On January 6, 2004, the Board of Supervisors ratified the action of the Board Chairman made on December 30, 2003.

On April 20, 2004, the Board of Supervisors proclaimed the existence of a Local Emergency resulting from the October and November 2003 wildfires which have caused serious health and safety hazards in the County from wildfire-related debris, including unstable chimneys, and other walls of fire-damaged buildings that remain on unoccupied and abandoned property, which hazards require immediate remediation and constitute a local emergency. These health and safety hazards still exist and continue to be a local emergency.

On May 18, 2004, the Board of Supervisors amended the emergency proclamation to terminate the portions of the emergency proclamation concerning wildfire-related mudslide and flooding conditions in accordance with Government Code section 8630(d) since those conditions no longer existed as a local emergency; and continued the portions of the emergency proclamation concerning wildfire-related debris for an additional period in accordance with Government Code section 8630(c)(1) and (2).

The Board is required to review and continue the proclamation on either 14-day or 21-day intervals in accordance with California Government Code section 8630 (c)(1) and (2), if there is a continuance of the local emergency; and to proclaim the termination of the local emergency at the earliest possible date that conditions warrant, pursuant to California Government Code section 8630(d).

During a period when the Board meets weekly, the proclamation must be reviewed every 14 days in accordance with Government Code section 8630(c)(2). If the Board does not meet weekly (e.g. due to a holiday), the proclamation must be reviewed every 21 days in accordance with Government Code section 8630(c)(1). The Board last took action to continue these emergencies on June 8, 2004, and approval of this recommendation would continue the emergency for an additional period in accordance with Government code section 8630.

County building inspectors have reported that their inspections of fire-damaged buildings in the County resulting from the Grand Prix and Old Fires have revealed that these sites, including chimneys of fire-damaged structures, are unsafe and these chimneys and walls on the unoccupied and/or abandoned property may be in danger of collapse. The County Public Health Officer has reported concerns that harmful chemicals and other materials that pose a hazard likely remain on fire-damaged sites, and noted that these sites could also collect water and become breeding areas for mosquitoes which can transmit the West Nile Virus. The County's Building Official and County's Public Health Officer concur, that, together with other uncleared fire debris, these conditions pose serious health and safety hazards.

It is appropriate for the County to continue the local emergency proclamation concerning wildfire-related debris so long as serious health and safety hazards continue to exist within the County caused by wildfire-related debris that require immediate remediation.

**REVIEW AND APPROVAL BY OTHERS:** This item was reviewed by Land Use Services Department (Michael E. Hays, Land Use Services Director, 387-4141) on June 8, 2004, Department of Public Health (Eric K. Frykman M.D., M.P.H., 387-6218) on June 7, County Counsel (Deputy Dennis Tilton, 387-5246) on June 9, 2004, and the County Administrative Office (Wayne Thies, Administrative Analyst, 387-5409) on June 9, 2004.

**FINANCIAL IMPACT:** There is no financial impact associated with this action to continue the proclamation.

**SUPERVISORIAL DISTRICTS:** All

**PRESENTERS:** Peter R. Hills 387-5974  
Denise L. Benson 356-3998